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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/546,101 04/10/00 CARNEY

J 5181-37301

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EXAMINER

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ART UNIT

PAPER NUMBER

2841

DATE MAILED:

06/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/546,101	CARNEY ET AL.
	Examiner	Art Unit
	Tuan T Dinh	2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 10 April 2000.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-4 and 7-21 is/are rejected.

7) Claim(s) 5 and 6 is/are objected to.

8) Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15) Notice of References Cited (PTO-892)      18) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

16) Notice of Draftsperson's Patent Drawing Review (PTO-948)      19) Notice of Informal Patent Application (PTO-152)

17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.      20) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 1 is objected to because of the following informalities:

Claim 1, line 1, change “retention system” to –retention mechanism--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, line 2, it is unclear. The phrase “wherein the color of the retainer is different than the color of the retainer” is not understood. Are there more than one retainer having different color?

Regarding claim 6, line 1, it is unclear. The phrase “friction couples the retainer to the stop during use” is not understood. What causes the friction coupled the retainer to the stop during use?

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-4, and 7-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Hass et al (U. S. Patent 6,215,668 B1).

As to claim 1, Hass discloses a card retention mechanism for a computer system (122-figure 1, column 2, line 29) as shown in figures 1-9 comprising a card (104-figure 1, column 2, line 31) having an endplate (108, column 2, lines 34-35). A carrier (814-figure 6, column 8, line 8) is configured to mount within the computer system (see figure 1). A retainer (600-figures 6-9, column 6, line 57) is rotatably positioned (column 7, lines 11-29) in the carrier (814). A lock mechanism (610; 612) is configured to inhibit rotation of the retainer to an open position (602) when the retainer is in a closed position (604); wherein at least one surface of the retainer couples to the endplate of the card when the retainer is in the closed position to inhibit movement of the card (see figure 6).

As to claim 2, Hass discloses the card retention system wherein the lock mechanism comprises an engagement surface (804, column 7, line 55) on the carrier (814) and a protrusion (800; 808) extending from the retainer, wherein the protrusion interacts with the engagement surface to inhibit rotation of the retainer to the open position (see figures 6 and 8).

As to claims 3 and 15, Hass discloses a card retention system wherein the retainer further comprises a grip (608, column 7, line 2) configured to facilitate retraction of the protrusion to allow the retainer to be rotated to the open position.

As to claim 7, Hass discloses a card retention system as shown in figure 6 further comprising a second retainer rotatably mounted to the carrier adjacent to the retainer, the second retainer configured to hold a second card within the computer system.

As to claim 8, Hass discloses a card retention system as shown in figure 6 wherein the card comprises a blanking cover (108).

As to claim 9, Hass inherently discloses a card retention system as shown in figure 1-6 wherein the card electrically (connector) couples to a circuit board (motherboard) of the computer system, and wherein the retainer inhibits the card from being electrically uncoupled from the circuit board when the retainer is in the closed position.

As to claim 11, Hass discloses a card retention system as shown in figure 4 further comprising a processor (431) coupled to the computer system.

As to claim 12, Hass discloses the retention mechanism for retaining a card (104) within a computer system (122) as shown in figures 1-9 comprising a carrier configured to mount within the computer system. The carrier (814) comprises rotation inhibitor (610); and a retainer (600) rotatably coupled to the carrier. The retainer has at least one surface configured to engage (604) the card when the retainer is in a closed position (see figure 6); wherein a portion of the retainer (808) contacts the rotation

inhibitor when the retainer is in the closed position (604) to inhibit rotation of the retainer to an open position (602).

As to claim 13, Hass discloses the retention mechanism as shown in figures 6-9 further comprising a second rotation inhibitor (612) configured to hold the retainer in an open position during use.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 10, 14, 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hass et al.

As best understood to claims 4, 10, 14, and 16, Hass discloses all of the limitations of claimed invention, except for a color of the retainer is different than a color of the carrier.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the retention mechanism of Hass and provide the color different between the retainer and the carrier and the grip in order to easily recognize for user.

Regarding claims 17-21, the method steps are necessitated by the retention mechanism structures, as it is disclosed by Hass et al.

***Allowable Subject Matter***

Claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and clear up 112 rejection second paragraph.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Radloff, Holt, Koerber et al, and Gordon et al disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD  
June 19, 2001

